IN THE UNITED STATES PATENT & TRADEMARK OFFICE

| Applicant: Muller et al. |) |
|---|---|
| U. S. Serial No.: 10/556,140 International Application No.: PCT/EP2004/004982 |) Group Art Unit: Unknown) Examiner: Unknown) |
| Filed: 05/10/2004 |) |
| For: Sample Depositing Device For A Cell Sorter |)) |

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313

Sir:

Attached Form PTO/SB/08B lists references which may be relevant to the examination of the above-identified application. Copies of articles and foreign patent documents are enclosed. References A-F include English abstracts. Applicants reserve the right to antedate any reference if necessary. Entry into the record is respectfully requested.

Respectfully submitted

By:

Randall T. Erickson, Reg. No. 33,872

The Law Office of Randall T. Erickson, P.C.

425 W. Wesley St., Suite 1 Wheaton, IL 60187

(630) 665-9404

Attorney Docket No.: 6580P0040US

CERTIFICATE OF TRANSMISSION/ MAILING

I hereby certify that this correspondence and all referenced documents are being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on July 5, 2006.

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Complete if Known Substitute for form 1449/PTO **Application Number** PCT/EP2004/004982 Filing Date May 10, 2004 INFORMATION DISCLOSURE First Named Inventor Muller, et al. STATEMENT BY APPLICANT Art Unit Unknown (Use as many sheets as necessary) **Examiner Name** Unknown 6580P0040US Attorney Docket Number Sheet 1

| Examiner Cite No.1 | | Document Number Number-Kind Code ^{2 (# known)} | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|--|--|--------------------------------|--|---|
| | | US- 5,489,506 | 02/06/1996 | Crane | |
| | | ^{US-} 2003/0108452 | 06/12/2003 | Fuhr | |
| | | ^{US-} 4,667,830 | 05/26/1987 | Nozaki Jr. et al | |
| | | ^{US-} 5,837,858 | 11/17/1998 | Brennan | |
| | | ^{US-} 5,275,951 | 01/04/1994 | Chow et al | |
| | | ^{US-} 5,998,129 | 12/07/1999 | Schutze et al | |
| | | ^{US-} 2004/0157318 | 08/12/2004 | Kuhn | |
| | | ^{US-} 6,400,453 | 06/04/2002 | Hansen | |
| | | ^{US-} 5,489,506 | 02/06/1996 | Crane | |
| | | ^{US-} 5,837,200 | 11/17/1998 | Diessel et al | |
| | | ^{US-} 2006/012167 A1 | 01/19/2006 | Muller et al | |
| | | ^{US-} 6,767,706 | 07/27/2004 | Quake et al | |
| | | ^{US-} 5,998,129 | 12/07/1999 | Schutze et al | |
| | | ^{US-} 2004/248167 | 12/09/2004 | Quake et al | |
| | | US- | | | |

| Cite | | Foreign Patent Document | Publication Date | Name of Patentee or | Pages, Columns, Lines, Where Relevant Passages | |
|------|---|---|--|--|---|--|
| 7.0. | Country Code ³ "Number ⁴ "Kind Code ⁵ (if known) | MM-DD-YYYY | 7,ppiloant of Ortoo Boodinont | Or Relevant Figures Appear | Т | |
| Α | DE 102,13,272 | | | | | |
| В | DE 100,05,735 | | | | | |
| С | DE 195,20,298 | | | | | |
| D | DE 196,16,216 | | | | | |
| Е | DE 101,17,064 | | | | | |
| | A B C D | No.1 Country Code ³ "Number ⁴ "Kind Code ⁵ (if known) A DE 102,13,272 B DE 100,05,735 C DE 195,20,298 D DE 196,16,216 | No.1 Date MM-DD-YYYY A DE 102,13,272 B DE 100,05,735 C DE 195,20,298 D DE 196,16,216 | No.1 Date MM-DD-YYYY A DE 102,13,272 B DE 100,05,735 C DE 195,20,298 D DE 196,16,216 | No.1 Date MM-DD-YYYY Applicant of Cited Document Where Relevant Passages Or Relevant Figures Appear | |

| Examiner | • | Date | |
|-----------|---|------------|--|
| Signature | | Considered | |

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| Substitute for form 1449/PTO | | | Complete if Known | | | |
|------------------------------|-----------------------------|----------------------|------------------------|-------------------|--|--|
| Sub | number of form 1443/110 | | Application Number | PCT/EP2004/004982 | | |
| 18 | CODMATION DISC | I OCUDE | Filing Date | May 10, 2004 | | |
| INFORMATION DISCLOSURE | | First Named Inventor | Muller, et al. | | | |
| S' | TATEMENT BY AP | PLICANT | Art Unit | Unknown | | |
| | (Use as many sheets as nece | ssary) | Examiner Name | Unknown | | |
| Sheet | 2 of 3 | | Attorney Docket Number | 6580P0040US | | |

| | | | U. S. PATENT D | | | |
|--------------------|----------|---|--------------------------------|--|---|--|
| Examiner Cite No.1 | | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant | |
| | | Number-Kind Code ^{2 (# known)} | | | Figures Appear | |
| | | US- | | | | |
| | | US- | | | | |
| | | US- | | | | |
| | | US- | | | | |
| | | US- | | | | |
| | | US- | | | | |
| | | US- | | | | |
| | | US- | | | | |
| | | US- | | | | |
| | | US- | | | | |
| | | US- | | | | |
| | 1 | US- | | | | |
| | 1 | US- | | | | |
| - | <u> </u> | US- | | | | |
| | | US- | | | | |
| | | US- | | | | |
| | | US- | | | | |
| | | US- | | | | |
| | | US- | | | | |

| | | FORE | IGN PATENT DOCU | MENTS | | | |
|-----------------------------|------|---|-------------------------|---------------------|--|---|--|
| Examiner Cite Initials* No. | Cite | | Foreign Patent Document | Publication Date | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages | |
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | MM-DD-YYYY | | Or Relevant Figures Appear | Τ° | |
| | F | WO 03/081113 A1 | | | | | |
| | G | WO 01/094635 A2 | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

| Examiner | Date | |
|-----------|------------|--|
| Signature | Considered | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/08B (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
a collection of information unless it contains a valid OMP contains.

| | te for form 1449/PTO | | | | Complete if Known |
|-------|-----------------------------------|---------------|-----------|------------------------|-------------------|
| | | | | Application Number | PCT/EP2004/004982 |
| INF | ORMATION | DIS | CLOSURE | Filing Date | May 10, 2004 |
| STA | TEMENT E | BY A | PPLICANT | First Named Inventor | Muller, et al. |
| | (Use as many sheets as necessary) | | | Art Unit | Unknown |
| | (USB as many sma | 43 11 | deessary) | Examiner Name | Unknown |
| Sheet | 3 | of | 3 | Attorney Docket Number | 6580P0040US |

| | | NON PATENT LITERATURE DOC | | • | |
|--------------------|--------------------------|---|---------------------|-----------------------|----|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title the item (book, magazine, journal, serial, symposium, cat number(s), publisher, city and/or coun | talog, etc.), date, | page(s), volume-issue | T² |
| • | | Muller T et al: "A 3-D Microelectrode system single cells and particles", Biosensors & Bio | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| · | | | | | |
| | | | | | |
| | | | | · | |
| | | · | <u> </u> | • | |
| | | | | | |
| | | | | | |
| Examiner | | · | Date | | |

| Examiner | Date | |
|-----------|------------|--|
| Signature | Considered | |

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.